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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/12,234

11/12/2003

Michael P. McMullen

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02/05/2008

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EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

02/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/712,234

Applicant(s)

MCMULLEN ET AL.

Examiner

Gerald Gauthier

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-30** are rejected under 35 U.S.C. 102(e) as being anticipated by Weisman et al. (US 6,839,417 B1).

Regarding **claims 1, 15 and 17**, Weisman discloses a method comprising:

receiving into a conference-call-setup-system (18 on FIG. 1) a request from a user to join a teleconference, wherein the request indicates a subject matter of the teleconference (column 16, lines 52-63);

learning a location of the user (column 24, lines 52-62);

selecting a teleconference based on (i) the location and (ii) the subject matter (column 24, lines 52-62); and

joining the user into the teleconference (column 28, lines 47-58).

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Regarding **claims 2, 16 and 18**, Weisman discloses a method, further comprising selecting the teleconference based on when the user requests to join the teleconference (column 28, lines 47-58).

Regarding **claims 3 and 19**, Weisman discloses a method, wherein the request indicates the location of the user, and wherein learning the location of the user comprises reading the location from the request (column 27, lines 41-61).

Regarding **claims 4 and 20**, Weisman discloses a method, wherein learning the location of the user comprises querying a location system operable to determine the location of the user (column 27, lines 41-61).

Regarding **claims 5 and 21**, Weisman discloses a method, wherein the location system comprises a mobile position center and a position determining entity (column 24, lines 4-9).

Regarding **claims 6 and 22**, Weisman discloses a method, wherein the mobile position center receives the location of a mobile subscriber terminal operated by the user from the position determining entity, wherein the mobile position center forwards the location of the mobile subscriber terminal to the CCSS (column 24, lines 30-37).

Regarding **claims 7 and 23**, Weisman discloses a method of claim 5, wherein the position determining entity is operable to process position information obtained from a mobile subscriber terminal (column 24, lines 53-62).

Regarding **claims 8, 10, 24 and 26**, Weisman discloses a method, wherein the CCSS comprises a switch and a service control point, and wherein receiving the request from the user comprises: the switch receiving a feature code as dialed digits from a device operated by the user (column 23, lines 39-54); and

the switch providing the feature code in a signaling message to the service control point (column 23, lines 39-54).

Regarding **claims 9 and 25**, Weisman discloses a method, wherein the service control point has logic that correlates conferences with location and subject matter, and wherein identifying the conference based on the location and the subject matter comprises: the service control point referring to the logic to find a conference that matches the 5 location and subject matter (column 23, lines 39-54).

Regarding **claims 11 and 27**, Weisman discloses a method, wherein instructing the switch to connect the user to the teleconference comprises providing the switch with a routing number to which the switch should connect the call (column 23, lines 39-54).

Regarding **claims 12 and 28**, Weisman discloses a method, wherein the CCSS comprises a media server on a packet-switched network, and wherein receiving the request from the user comprises: the media server receiving a session invitation message from a device operated by the user (column 23, lines 1-22).

Regarding **claims 13 and 29**, Weisman discloses a method, wherein the session invitation message comprises a Session Initiation Protocol INVITE message (column 30, lines 12-20).

Regarding **claims 14 and 30**, Weisman discloses a method, wherein joining the user into the teleconference comprises: the media server entering into a packet-based real-time media conference leg with the device operated by the user, wherein the media server bridges the conference leg with conference legs of other users participating in the teleconference (column 29, lines 34-58).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/
Primary Examiner
Art Unit 2614

GG
January 30, 2008